



# APPLICATION SPECIAL USE PERMIT

## ADMINISTRATIVE CHANGE OF OWNERSHIP OR MINOR AMENDMENT

☐ Change of Ownership      ☒ Minor Amendment

[must use black ink or type]

**PROPERTY LOCATION:** 499 South Pickett Street

**TAX MAP REFERENCE:** 058.03-01-05 and -06

**ZONE:** CSL

### APPLICANT

Name: AV Automotive Munich, LLC

Address: 499 South Pickett Street, Alexandria, VA 22304

### PROPERTY OWNER

Name: Alexandria Pickett Street LLC

Address: c/o Rosenthal Automotive, 1902 Association Drive, Reston, VA 20191

**SITE USE:** Automotive Sales and Service

**Business Name:**

**Current:**

**Proposed (if changing):**

☐ **THE UNDERSIGNED** hereby applies for a Special Use Permit for **Change in Ownership**, in accordance with the provisions of Article XI, Division A, Section 11-503 (5)(f) of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

☒ **THE UNDERSIGNED**, having read and received a copy of the special use permit, hereby agrees to comply with all conditions of the current special use permit, including all other applicable City codes and ordinances.

☒ **THE UNDERSIGNED** hereby applies for a Special Use Permit for **Minor Amendment**, in accordance with the provisions of Article XI, Division A, Section 11-509 and 11-511 of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

☒ **THE UNDERSIGNED**, having obtained permission from the property owner, hereby requests this special use permit. The undersigned also attests that all of the information herein required to be furnished by the applicant are true, correct and accurate to the best of his/her knowledge and belief.

M. Catharine Puskar Attorney/Agent

Print Name of Applicant or Agent

2200 Clarendon Boulevard, Suite 1300

Mailing/Street Address

Arlington, VA 22201

City and State

Zip Code

Signature

703-528-4700

703-525-3197

Telephone #

Fax #

cpuskar@thelandlawyers.com

Email address

Date

### DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

Application Received: \_\_\_\_\_

Fee Paid: \$ \_\_\_\_\_

Legal advertisement: \_\_\_\_\_

ACTION - PLANNING COMMISSION \_\_\_\_\_

ACTION - CITY COUNCIL: \_\_\_\_\_

**The following information must be furnished to the Department of Planning and Zoning to determine if the current use conducted on the premises complies with the special use permit provisions and all other applicable codes and ordinances.**

**1. Please describe prior special use permit approval for the subject use.**

Most recent Special Use Permit # 2009-0070

Date approved: 01 / 23 / 2010  
month day year

Name of applicant on most recent special use permit AV Automotive Munich, LLC

Use Automotive Sales and Service

**2. Describe below the nature of the *existing* operation *in detail*** so that the Department of Planning and Zoning can understand the nature of the change in operation; include information regarding type of operation, number of patrons served, number of employees, parking availability, etc. (Attach additional sheets if necessary.)

The Applicant operates a automotive sales center and associated service garage on the  
Property.

Per SUP #2009-0070, the Applicant expects approximately 100 patrons per day and 90-100  
employees on weekdays, with fewer on the weekends. There are approximately 528 parking  
spaces available on the site.

Special Use Permit # \_\_\_\_\_

**3. Describe any proposed *changes* to the business from what was represented to the Planning Commission and City Council** during the special use permit approval process, including any proposed changes in the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, any noise emitted by the use, etc. (Attach additional sheets if necessary)

See attached.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

499 South Pickett Street (TM # 058.03-01-05 and -06)  
Minor Amendment to SUP #2009-0070

May 16, 2019

The Applicant requests a minor amendment to extend the hours of operation in order to provide flexibility for the business and allow it to better serve its patrons. By way of background, the City Council approved Special Use Permit #2009-0070 for the Property and the hours of operation are identified in Condition #3.

Approved hours:

- 7:00AM-9:00PM Monday through Friday
- 9:00AM-9:00PM Saturday
- 12:00 PM-6:00PM Sunday

Proposed hours:

- 6:00AM-10:00PM Monday-Friday
- 8:00AM-10:00PM Saturday
- 10:00AM-6:00PM Sunday

Per Section 11-511 A.2.b.i.a of the Zoning Ordinance, the Director of Planning & Zoning may approve up to two (2) additional hours of operation, but not to exceed hours consistent with an established neighborhood standard. The surrounding neighborhood contains various commercial, automobile-oriented, and residential uses. For example, the hours of operation for the Home Depot at 300 South Pickett Street are 6:00AM-10:00PM Monday through Saturday and 8:00AM-8:00PM on Sunday. As such, the Applicant requests approval of these minor changes.

Special Use Permit # \_\_\_\_\_

4. Is the use currently open for business? ☒ Yes ☐ No

If the use is closed, provide the date closed.

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
month day year

5. Describe any proposed changes to the conditions of the special use permit:

See below, the Applicant proposes changes to the approved hours of operation  
(Condition #3).

6. Are the hours of operation proposed to change? ☒ Yes ☐ No

If yes, list the current hours and proposed hours:

Current Hours:

7:00AM-9:00PM Monday-Friday

9:00AM-9:00PM Saturday

12:00 PM-6:00PM Sunday

Proposed Hours:

6:00AM-10:00PM Monday-Friday

8:00AM-10:00PM Saturday

10:00AM-6:00PM Sunday

7. Will the number of employees remain the same? ☒ Yes ☐ No

If no, list the current number of employees and the proposed number.

Current Number of Employees:

Proposed Number of Employees:

8. Will there be any renovations or new equipment for the business? \_\_\_\_\_ Yes ☒ No

If yes, describe the type of renovations and/or list any new equipment proposed.

9. Are you proposing changes in the sales or service of alcoholic beverages? \_\_\_\_\_ Yes ☒ No

If yes, describe proposed changes:

Special Use Permit # \_\_\_\_\_

10. **Is off-street parking provided for your employees?** ☒ Yes ☐ No  
If yes, how many spaces, and where are they located?

\_\_\_\_\_  
\_\_\_\_\_

11. **Is off-street parking provided for your customers?** ☒ Yes ☐ No  
If yes, how many spaces, and where are they located?

\_\_\_\_\_  
\_\_\_\_\_

12. **Is there a proposed increase in the number of seats or patrons served?** ☐ Yes ☒ No  
If yes, describe the current number of seats or patrons served and the proposed number of seats and patrons served. For restaurants, list the number of seats by type (i.e. bar stools, seats at tables, etc.)

Current:

Proposed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. **Are physical changes to the structure or interior space requested?** ☐ Yes ☒ No  
If yes, attach drawings showing existing and proposed layouts. In both cases, include the floor area devoted to uses, i.e. storage area, customer service area, and/or office spaces.

14. **Is there a proposed increase in the building area devoted to the business?** ☐ Yes ☒ No  
If yes, describe the existing amount of building area and the proposed amount of building area.

Current:

Proposed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

15. **The applicant is the** (check one) ☒ Property owner ☐ Lessee  
☐ other, please describe: \_\_\_\_\_

16. **The applicant is the** (check one) ☒ Current business owner ☐ Prospective business owner  
☐ other, please describe: \_\_\_\_\_

17. Each application shall contain a clear and concise statement identifying the applicant, including the name and address of each person owning an interest in the applicant and the extent of such ownership interest. If the applicant, or one of such persons holding an ownership interest in the applicant is a corporation, each person owning an interest in excess of ten percent (3%) in the corporation and the extent of interest shall be identified by name and address.

For the purpose of this section, the term "ownership interest" shall include any legal or equitable interest held in the subject real estate at the time of the application. If a nonprofit corporation, the name of the registered agent must be provided.

**Please provide ownership information here:**

See attached.

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**ROSENTHAL AUTOMOTIVE**  
1902 Association Drive  
Reston, Virginia 20191

**EXECUTIVE OFFICES**

**Telephone: (703) 553-4300**  
**Fax: (703) 553-8435**

May 16, 2019

AV Automotive Munich, LLC  
499 South Pickett Street  
Alexandria, Virginia 22304

Karl Moritz  
301 King Street  
City Hall, Room 2100  
Alexandria, Virginia 22314

Re: Authorization to File an Application for a Minor Amendment to a Special Use Permit  
499 South Pickett Street, Tax Map ID 058.03-01-05 and -06 (the "Property")

Dear Mr. Moritz:

AV Automotive Munich, LLC hereby authorizes Walsh, Colucci, Lubeley & Walsh, P.C. to act as agent on its behalf for the filing and representation of an application for a Minor Amendment to an approved Special Use Permit on the Property and any related requests.

Very truly yours,

AV Automotive Munich, LLC

By:   
George Liu

Its: \_\_\_\_\_ President \_\_\_\_\_

Date: 5/16/19

OK  
VP/Sec  
5/16/19



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1902 Association Drive  
Reston, Virginia 20191

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May 16, 2019

Alexandria Pickett Street LLC  
c/o Rosenthal Automotive  
1902 Association Drive  
Reston, Virginia 20191

Karl Moritz  
301 King Street  
City Hall, Room 2100  
Alexandria, Virginia 22314

Re: Consent to File an Application for a Minor Amendment to a Special Use Permit  
499 South Pickett Street, Tax Map ID 058.03-01-05 and -06 (the "Property")

Dear Mr. Moritz:

As owner of the above-referenced Property, Alexandria Pickett Street LLC hereby consents to the filing of an application for a Minor Amendment to an approved Special Use Permit on the Property by AV Automotive Munich, LLC and any related requests.

Very truly yours,

Alexandria Pickett Street LLC

By:   
George Liu

Its: \_President\_

Date: 5/16/19

OK gm  
VP/sec  
5/16/19

**Attachment A  
(Beneficial and Record Owners of Dealer)**

**ND-F1.1 Certificate of Legal Entity**

**AV, AUTOMOTIVE, MUNICH, LLC**

Shareholder/Partner Name	Address	Voting		Non-Voting	
		# Shares	% Own	# Shares	% Own
Robert M. Rosenthal Trust / Robert M. Rosenthal	1902 Association Drive Reston, VA 20191		37.256%	N/A	N/A
Robert Peterson	409 Westbourne Drive West Hollywood, VA 90048		5.211%	N/A	N/A
Katherine Peterson	1318 North Orange Grove Ave. West Hollywood, CA 90046		5.211%	N/A	N/A
Nicholas Cafritz	7929 Hollywood Blvd. Los Angeles, CA 90046		5.211%	N/A	N/A
J. Greg Pugh	1104 Finley Lane Alexandria, VA 22304		14.354%	N/A	N/A
David Smilow	200 Park Avenue South, #1615 New York, NY 10003		8.719%	N/A	N/A
George Liu	41874 Pleasant Forest Court Ashburn, VA 20148		13.270%	N/A	N/A
Steve Ferouz	16308 Jousting Terrace Derwood, MD 20855		5.384%	N/A	N/A
Jerry Griffin	22819 Vickery Park Drive Brambleton, VA 20148		5.384%	N/A	N/A



City of Alexandria, Virginia

Map Title



1:2,257



376.2  
0 188.08 376.2 Feet  
WGS, 1984, Web\_Mercator\_Auxiliary\_Sphere  
City of Alexandria, VA

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



### Legend

- Tax Map Index
  - Parcels
  - Blocks
- Metro Stations
  - M
- Metro Lines
  - Blue
  - Yellow
  - Yellow Blue
- City Boundary
  - City Boundary
- Rail Lines
  - Rail Lines
- Parcels
  - Parcels
- Buildings
  - Buildings
- Surface Water
  - Surface Water
- Streams
  - Streams
- Parks
  - Parks
- City of Alexandria

### Notes